

***DRAFT MINUTES***  
**MINUTES OF BOARD MEETING**

June 21, 2006  
City Council Chambers  
City of La Quinta  
78-495 Calle Tampico  
La Quinta, CA 92253

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The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Nancy Wright at 10:03 a.m. on June 21, 2006 in the City Council Chambers, City of La Quinta, California.

**1. Board Member Roll Call**

**Present:** Jeff Hays, Leon Lesicka, Maurice Martinez, Ellen Way, and Nancy Wright. The Board Secretary stated a quorum was present.

**2. Staff Present:**

Jose Angel, Adnan Al-Sarabi, John Carmona, Mary Castaneda, Jose Cortez, Francisco Costa, Abdi Haile, Cecilia Irwin, Kirk Larkin, Robert Perdue, Jon Rokke, Ivory Stark, Joan Stormo, Hilda Vasquez, Doug Wylie, Nadim Zeywar.

**3. Others Present**

William Kagele, U.S. Navy, El Centro  
Jason Uhley, Riv. Co. Flood Control and Water Conservation District  
Steve Bigley, Coachella Valley Water District  
Roger Henning, Palo Verde Irrigation District  
Heidi Kuhn, Imperial Valley Cheese/Kuhn Farm Dairy  
Karie Ferriera, Imperial Valley Cheese/Kuhn Farm Dairy  
Greg Rowley, Imperial Valley Cheese/Kuhn Farm Dairy  
Mike Massingill, Kent Sea Tech  
Richard P. Sedgwick, Court Reporter  
Tom Vandenberg, SWRCB, OCC

#### **4. Minutes**

Minutes of May 17, 2006 Board Meeting.

**MOTION:** Ellen Way moved, Jeff Hays seconded, and motion carried unanimously that the Minutes be approved as submitted.

#### **5. Public Forum**

Jason Uhley, Senior Civil Engineer with the Riverside County Flood Control and Water Conservation District informed the Board that his agency is working closely with the Regional Board staff to update the Municipal Separate Storm Water Sewer System (MS4) Permit.

The MS4 Permit regulates urban storm water runoff into the Whitewater River watershed from the Coachella Valley Water District and incorporated cities of Riverside County within the jurisdiction of the California Regional Water Quality Control Board, Colorado River Basin Region.

He also thanked the Board and its staff for working with the District and other agencies on the Coachella Valley Storm Water Channel Pathogen TMDL.

#### **6. Uncontested Waste Discharge Requirements**

##### **A. NPDES Permits**

R7-2006-0020 - Kent Sea Tech Corporation, Kent Sea Tech Corporation Fish Farm – Mecca, Riverside County

R7-2006-0048 – Naval Air Facility El Centro, Naval Air Facility El Centro Wastewater Treatment Plant – El Centro, Imperial County

R7-2006-0049 - Heber Public Utilities District Municipal Wastewater Treatment Plant – Heber, Imperial County

R7-2006-0050 - City of Holtville Municipal Wastewater Treatment Plant – Holtville, Imperial County

##### **B. Waste Discharge Requirements**

R7-2006-0030 - Waste Discharge Requirements for Apple Core Enterprises, Inc. (Owner/Operator), Applebee's Restaurant – Yucca Valley, San Bernardino County

R7-2006-0032 - Imperial Valley Cheese of California (Owner) K.F. Dairy (Owner) Kuhn Farms, Inc. (Operator) George Lemo Ranches (Landowner) – El Centro, Imperial County

**MOTION:** Jeff Hays moved, Maurice Martinez seconded, and motioned carried unanimously that Board Orders No. R7-2006-0020, R7-2006-0048, R7-2006-0049, R7-2006-0050, R7-2006-0030 and R7-2006-0032, including the Errata for R7-2006-0032 be adopted.

## **7. Public Hearing**

Proposed Basin Plan Amendment to Establish a Total Maximum Daily Load (TMDL) of Trash for the New River.

R7-2006-0047 - Public Hearing to Consider Amending the Water Quality Control Plan of the Colorado River Basin to Establish the Total Maximum Daily Load and Implementation Plan for Trash in the New River at the International Boundary, Imperial County.

The public hearing was opened. The appropriate oath was taken by those planning to testify. They were: Jose Angel, Francisco Costa, Ivory Stark, and Nadim Zeywar.

Jose Angel pointed out that Agenda Items 9 and 10 should be considered by the Board as a single item. Item 9 is the Public Hearing for consideration of adoption of Resolution No. R7-2006-0047, which amends the Basin Plan by establishing the Trash TMDL for the New River. The Board Chair proceeded accordingly.

Ivory Stark, Regional Board staff, gave an overview of the Proposed Basin Plan Amendment for the Trash TMDL for New River. She provided the Board Background Information, a description of the Elements of the Trash TMDL, an overview of the TMDL Implementation Plan and CEQA Requirements. She recommended adoption of the New River Trash TMDL, Basin Plan Amendment, Implementation Plan and subject Resolution.

Ms. Way questioned whether the proposed amendment would be effective in making the USEPA take measures to comply with the TMDL. Jose Angel said it would be right for the Board to adopt the amendment because it puts political pressure (and the spotlight) where it is supposed to be (at the Federal level); and that type of pressure has resulted in progress addressing cleanup of the New River (e.g., building of Las Arenitas WWTP).

Robert Perdue, Regional Board Executive Officer recommended the Proposed Basin Plan Amendment to Establish a Total Maximum Daily Load (TMDL) of Trash for the New River be adopted.

The public hearing was closed.

**MOTION:** Ellen Way moved, Maurice Martinez seconded and motion carried unanimously that Resolution No. R7-2006-0047 be adopted.

## **8. Resolutions**

R7-2006-0058 - Supporting Removing Palo Verde Outfall Drain (PVOD) from the Clean Water Act 303(d) List for Pathogens Based on Available Data.

Francisco Costa, Ph.D., Regional Board staff presented to the Board an overview supporting removal of Palo Verde Outfall Drain from the Clean Water Act 303(d) List for pathogen impairments. He provided background and reasons for delisting. The present listing does not meet Listing Policy criteria because of low concentrations. He noted that the current concentrations of E. Coli in water are not a threat to public health. Regional Board staff requested adoption of the Resolution to delist PVOD for pathogen impairment.

**MOTION:** Ellen Way moved Jeff Hays seconded, and motion carried unanimously that Resolution No. R7-2006-0058 be adopted.

## **9. Informational Update on Border Pollution**

Jose Angel, Assistant Executive Officer, updated the Board on the installation of the sewer pipe and lagoons for the new Las Arenitas sewage treatment plant. He said the plant is a reality and will be on-line by September 2006. Mexicali needs to install about 2 km or so of pipe to complete the force main. He also said the lagoons were about 80% completed. Progress will be seen within 30 days. He will have an update on the project at the next Board Meeting.

## **10. Informational Update on Reportable Violations of the California Water Code**

Doug Wylie informed the Board regarding Reportable Violations of the California Water Code. He provided the Board a list of NPDES and Non-Chapter 15 facilities from January 1, 2006 through March 31, 2006 that are in Noncompliance with Waste Discharge Requirements of Applicable Statutory or Regulatory Requirements per the State Water Resources Control Board Resolution No. 2002-0040, Water Enforcement Policy. Chair Wright requested that Doug Wylie provide a more informative list that will show the location of the facilities that are in violation. The revised list will be on the next Board Meeting.

## **11. Informational Update on State Water Resources Control Board Activities –**

Tom Vandenberg, Regional Board Counsel, reported that the Executive Officer and he will visit concerned Indian Tribes along the Colorado River to discuss CEQA activities associated with the subsurface Chromium plume cleanup, including a meeting with the Fort Mojaves on Monday, June 26, 2006. He will keep the Board informed about the meetings.

**12. Colorado River Basin Water Board Executive Officer's Report – R.P.**

Robert Perdue, Executive Officer, reported that Vice Chair, Ellen Way, Chair Wright and he will attend the Riverside County Water Symposium on Thursday, June 22, 2006. He also commented that staff presentations at today's meeting were very well done.

**13. Colorado River Basin Water Board Member Comments**

There were no comments.

**14. Colorado River Basin Water Board Chair's Report**

Chair Wright reported that she, Robert Perdue and State Board Chair, Tam Doduc, went on a tour to the PG&E Topock compressor station, near Needles, on May 18, 2006, to observe the wastewater treatment plant. Chair Wright reported on her participation in the Chair's conference call with Tam Doduc and other Regional Board Chairs on June 5, 2006. Chair Wright stated that CalEPA has a new Secretary, Linda Adams. Secretary Adams previously served on Regional Board 5 in Sacramento, and is very knowledgeable about water quality issues. Also, Charles Hoppin and Gary Wolff were appointed to the SWRCB and, Charles Hoppin will serve as SWRCB Liaison for Regional Board 7. Secretary Adams and State Board Chair, Tam Doduc met with the Governor and have been asked to draw a Water Action Plan that covers the following: What are the high priority water quality problems? What needs to be done to achieve them?

**Arrangements for Next Board Meeting**

September 20, 2006.

**Adjournment**

Meeting adjourned at 11:04 a.m.